

U.S. Application Serial No. 10/682,496
Response to Office Action mailed May 31, 2005

Docket No. SYR-HDAC-5003-U

REMARKS/ARGUMENTS

In response to the Examiner's Restriction Requirement, mailed May 31, 2005 and Applicants' telephone conversation with Examiner on September 16, 2005, Applicants elect Group II and thus further withdraw independent claims 9, 13 and 14. Dependent claims 16-17 and 20-35 are amended so that these claims depend from independent claim 10.

Applicants also add new claim 38. which specifies that L includes the moieties specified as J in claim 14. Support for this new claim appears among other places in the Specification at page 28, paragraph 118).

In the restriction requirement, the Examiner requested Applicants to elect a compound. This election was made in Applicants' response dated August 31, 2005.

Applicants continue to reserve the right pursuant to 37 C.F.R. § 1.141 to pursue claims to any non-elected species in the event that a generic claim is found to be allowable. Applicants also reserve the right pursuant to 35 U.S.C. § 121 to file one or more divisional applications directed to the non-elected subject matter during the pendency of the present application.

CONCLUSION

Applicants earnestly believe that they are entitled to a letters patent, and respectfully solicit the Examiner to expedite prosecution of this patent application to issuance. Should the Examiner have any questions, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
Takeda San Diego, Inc.

Dated: September 16, 2005

By: David J. Weitz
David J. Weitz, General Counsel
& V. P. of Intellectual Property
Reg. No. 38,362

Customer No. 32793
Takeda San Diego, Inc.
10410 Science Center Drive
San Diego, CA 92121
Telephone: (858) 622-8528
Facsimile: (858) 550-0992